

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JIMMIE ALLEN, RANIA ALLEN, and)
MARCUS ALLEN,)
Plaintiffs,)
v.) Cause No: 4:14-CV-00744
CITY OF FERGUSON,)
OFFICER BAKER,)
OFFICER BROWN, and)
OFFICER BALLARD,)
Defendants.)

***DEFENDANTS' FIRST MOTION TO COMPEL AGAINST
PLAINTIFFS***

COME NOW, Defendants, City of Ferguson, Officer Baker, Officer Brown, and Officer Ballard (“Defendants”), by and through their attorneys and for their Motion to Compel Against Plaintiffs, state as follows:

1. On May 21, 2014, this Court issued a case management order (Doc. No. 11) compelling parties to make all disclosures pursuant to Rule 26(a)(1) by **June 5, 2014**.
2. Although the time given by the Court has elapsed, Plaintiffs have failed to provide initial disclosures within the time provided by the Court.
3. Attorney for Defendants has sent e-mails to attorney for Plaintiff on June 20 (2:00 PM) and July 24 (3:25 PM), 2014. On July 11, 2014, attorney for Defendants spoke with attorney for Plaintiffs by telephone. To Defendants’ knowledge, no initial disclosures have been made by Plaintiff.

4. In addition, Defendants served Plaintiff with their First Set of Interrogatories and First Request for Production on May 7, 2014. Correspondence on June 20, July 24, and attorney for Defendants' phone call on July 11 also referenced these as being outstanding. To Defendants' knowledge, no responses have been made by Plaintiff.
5. Pursuant to the above and Local Rule 37 - 3.04, Defendants' attorney has conferred with the attorney for Plaintiff in good faith and that after sincere efforts to resolve their dispute, counsel are unable to reach an accord.

WHEREFORE, Defendants respectfully request this Court to enter an Order Compelling Plaintiff to meet her Rule 26 disclosure obligations and for her to supply responses to Defendants' initial discovery requests.

/s/Peter J. Dunne

Peter J. Dunne #31482
Robert T. Plunkert #62064
PITZER SNODGRASS, P.C.
Attorney for Defendants City Ferguson, Officers Brown, Baker, and Ballard
100 South Fourth Street, Suite 400
St. Louis, Missouri 63102-1821
(314) 421-5545
(314) 421-3144 (Fax)
Email: dunne@pspclaw.com
Email: plunkert@pspclaw.com

A copy of the foregoing filed electronically with the Clerk of the Court this 30th day of July, 2014, to be served by operation of the Court's electronic filing system upon the following:
Rufus J. Rate, Jr., Attorney for Plaintiffs, 7751 Carondelet, Suite 803, Clayton, MO 63105,
tatelawfirm@gmail.com.

/s/Peter J. Dunne
